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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,026	10/31/2003	Kazuki Emori	SHO-0037	1078
23353 7590 12/02/2008 RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036				
EXAMINER				
KIM, ANDREW				
ART UNIT		PAPER NUMBER		
3714				
MAIL DATE		DELIVERY MODE		
12/02/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/697,026

**Applicant(s)**

EMORI ET AL.

**Examiner**

ANDREW KIM

**Art Unit**

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 3, 7-9, 12, 14 and 16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 7-9, 12, 14 and 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

This office action is in response to the amendment filed on 8/20/08 in which:

- Response to claims rejection have been filed.
- Claim(s) 1,3,7-9,12,14 and 16 are pending.

### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code 103 not included in this action can be found in a prior Office action.

**Claims 1, 3, 6, 9 and 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue (US 2004/0038726) in view of Ozaki et al. (US 2001/0031658).**

Inoue discloses a gaming machine with lights behind the symbols to illuminate the symbols to provide better visibility to the player.

Ozaki discloses providing a gaming machine with a front display provided between the player and the reels.

Claim 1: Inoue discloses

- a plurality of symbol strips each having a plurality of symbols (paragraph 27);
- a plurality of annular bodies to which each of the symbol strips are annularly attached (paragraph 27);
- image display means provided in front of the plurality of annular bodies and configured to display an image concerning a game (fig. 1, item 2) ; and

- a light source configured to illuminate the symbols from behind the symbols (paragraph 29),
- wherein the plurality of annular bodies are made transparent or semitransparent for transmitting light from the light source in a direction of the image display means (paragraph 29).
- Wherein each annular body includes a rim assembly and a ring part, the rim assembly having a radially-extending boss having a hole formed therethrough disposed centrally about an axis of rotation (35 and 34 of fig. 2), a circular rim piece disposed radially apart from the boss and centrally encircling the axis of rotation at a first radial distance therefrom (26a and 25a of fig. 2) and a plurality of arms disposed angularly apart from one another and extending radially between and interconnecting the boss and the rim piece (fig. 2) the ring part having a circular configuration and centrally encircling the axis of rotation at a second radial distance being at least approximately equal to the first radial distance (30 and 31 of fig. 2)
- Wherein each symbol strip is fabricated from a stiff yet pliable material such that the symbol strip interconnects the rim piece and the ring part in an axially-disposed apart manner when opposing outer side edges (paragraph 27) of the symbol strip are attached to and between the rim piece and the ring part, the ring part forming an unobstructed circular opening into an empty cylindrical cavity

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defined by the rim assembly, the ring part and the symbol strip when interconnected together. (paragraphs 27-29, fig. 2)

One of ordinary skill in the art would have found the combination of Inoue and Ozaki obvious to provide more player appeal. Ozaki discloses LCD and EL panels to produce graphics which are pleasing to the eye. Therefore, one of ordinary skill in the art at the time of the invention would have found it obvious to modify Inoue with Ozaki to provide more appealing graphics to the player.

The term "one piece" may be interpreted as two elements connected together to form one piece.

Claim 3: Inoue discloses

- a plurality of symbol strips each having a plurality of symbols (paragraph 27);
- a plurality of annular bodies to which each of the symbol strips are annularly attached (paragraph 27);
- image display means provided in front of the plurality of annular bodies and configured to display an image concerning a game (fig. 1, item 2); and
- Wherein each annular body includes a rim assembly and a ring part, the rim assembly having a radially-extending boss having a hole formed therethrough disposed centrally about an axis of rotation (35 and 34 of fig. 2), a circular rim piece disposed radially apart from the boss and centrally encircling the axis of

rotation at a first radial distance therefrom (26a and 25a of fig. 2) and a plurality of arms disposed angularly apart from one another and extending radially between and interconnecting the boss and the rim piece (fig. 2) the ring part having a circular configuration and centrally encircling the axis of rotation at a second radial distance being at least approximately equal to the first radial distance (30 and 31 of fig. 2)

- Wherein each symbol strip is fabricated from a stiff yet pliable material such that the symbol strip interconnects the rim piece and the ring part in an axially-disposed apart manner when opposing outer side edges (paragraph 27) of the symbol strip are attached to and between the rim piece and the ring part, the ring part forming an unobstructed circular opening into an empty cylindrical cavity defined by the rim assembly, the ring part and the symbol strip when interconnected together. (paragraphs 27-29, fig. 2)

Inoue does not explicitly disclose

- a light source configured to illuminate the symbols from a slanting direction of a front of the symbols,
- wherein the plurality of annular bodies are formed to reflect light from the light source in a direction of the image display means.

Instead, Inoue teaches a gaming machine that includes a light source configured to illuminate the symbols from behind the reels to allow the symbols to be noticeably visible to the player (paragraph 27-29). In an analogous reference, Ozaki teaches a light

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source configured to illuminate the symbols from a slanting direction [in] front of the symbols (fig. 2, item 29). It would have been obvious to one of ordinary skill in the art to illuminate the symbols in this way to light the symbols such that the user may see the symbols better and know quickly if a winning combination has occurred. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to modify Inoue with a light source from a slanting direction to increase player appeal.

Claims 7, 8: Inoue discloses a gaming machine wherein the annular body is formed in white color plastic (paragraph 58).

Claim 9: Inoue discloses wherein each light source is configured to illuminate the symbols from directly behind each symbol strip, each light source being disposed within the empty cylindrical cavity (fig. 3).

Claims 12, 14: Inoue does not explicitly teach wherein front display means is a liquid crystal display, however it would have been obvious to one of ordinary skill in the art to use a liquid crystal display because it provides various overlapping patterns with good visibility and a high game selection capability to a player (abstract) as taught by analogous reference Ozaki. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to modify Inoue with overlapping LCD screen to provide various overlapping patterns with good visibility and a high game selection capability to a player.

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Claim 16: Inoue fails to explicitly disclose a light source as described in the instant specification. Instead, Inoue discloses a light source within the reel housing as well as a monitor that may be used as a light source. In an analogous reference, Ozaki teaches a light source between an LCD panel and the reels (Ozaki, fig. 2) to provide back lighting for the LCD and to illuminate the reels. One of ordinary skill in the art would have seen the benefit of modifying Inoue as modified by Ozaki with two light sources between an LCD and the reels to further provide better backlighting for the LCD and to further illuminate the reels. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to modify Inoue with two light sources between the LCD panel and reels to provide better backlighting and illumination of the reels.

### ***Response to Arguments***

Applicant's arguments filed 6/30/08 have been fully considered but they are not persuasive.

Regarding claim 3, the arguments are moot in view of the new ground of rejection.

Regarding the rim assembly and rim part and the symbol strip, refer to the paragraphs 27-29 and fig. 2 of Inoue, wherein each annular body includes a rim assembly and a ring part, the rim assembly having a radially-extending boss having a hole formed therethrough disposed centrally about an axis of rotation (35 and 34 of fig. 2), a circular rim piece disposed radially apart from the boss and centrally encircling the



axis of rotation at a first radial distance therefrom (26a and 25a of fig. 2) and a plurality of arms disposed angularly apart from one another and extending radially between and interconnecting the boss and the rim piece (fig. 2) the ring part having a circular configuration and centrally encircling the axis of rotation at a second radial distance being at least approximately equal to the first radial distance (30 and 31 of fig. 2),

wherein each symbol strip is fabricated from a stiff yet pliable material such that the symbol strip interconnects the rim piece and the ring part in an axially-disposed apart manner when opposing outer side edges (paragraph 27) of the symbol strip are attached to and between the rim piece and the ring part, the ring part forming an unobstructed circular opening into an empty cylindrical cavity defined by the rim assembly, the ring part and the symbol strip when interconnected together. (paragraphs 27-29, fig. 2)

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANDREW KIM whose telephone number is (571)272-1691. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dmitry Suhol can be reached on 571-272-4430. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

12/1/2008 /A. K./  
Examiner, Art Unit 3714

*(Dmitry Subell)*



**XUAN M. THAI**  
**SUPERVISORY PATENT EXAMINER**

*TC 3702*